

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|------------------------------------|---|---------------------|
| FAY S. GUNDLACH, | § | |
| | § | |
| Plaintiff, | § | C.A. NO.: 05-491 |
| | § | |
| v. | § | TRIAL JURY DEMANDED |
| | § | |
| FOOD LION, L.L.C., a subsidiary of | § | |
| DELHAIZE AMERICA, | § | |
| | § | |
| Defendants. | § | |

SUGGESTION OF DEATH

Defendant, suggests, on the record, that the Plaintiff, Fay S. Gundlach expired on or before March 28, 2006.

BAILEY & ASSOCIATES, P.A.

/s/ James F. Bailey, Jr. _____
JAMES F. BAILEY, JR.
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Attorney for Food Lion, L.L.C.

Date: April 7, 2006

CERTIFICATE OF SERVICE

, James F. Bailey, Jr., Esquire, do hereby certify that on this 7th of April 2006, one copy of the foregoing **SUGGESTION OF DEATH** was served by **electronic service** to:

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/s/ James F. Bailey, Jr.
JAMES F. BAILEY, JR.